

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LORENZO CARL PAYNES,

Plaintiff,

No. CIV S-04-1868 MCE KJM P

vs.

D.L. RUNNELS, et al.,

Defendants.

ORDER

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Plaintiff, a state prisoner, is proceeding pro se with a civil rights action under 42 U.S.C. § 1983.

By an order filed December 30, 2005, this court ordered plaintiff to complete and return to the court, within thirty days, the four USM-285 forms and copies of his May 23, 2005 amended complaint, which are required to effect service on the defendants. On January 19, 2006, plaintiff submitted the four USM-285 forms and summons but failed to submit complete copies of the May 23, 2005 amended complaint. The filed copies of the amended complaint are missing exhibits Q through Z.

However, on March 20, 2006, the court directed the U.S. Marshals to serve summons and complaint. That order is hereby rescinded, to be reissued when plaintiff has provided complete copies of the amended complaints.

Accordingly, IT IS HEREBY ORDERED that:

1. The order of March 20, 2006 is vacated.

2. The Clerk of the Court is directed to provide plaintiff with a copy of the May 23, 2005 amended complaint.

3. Within thirty days, plaintiff shall submit to the court five copies of the May 23, 2005 amended complaint including exhibits Q through Z as required to effect service. Failure to return the copies within the specified time period will result in a recommendation that this action be dismissed.

4. The Clerk of the Court is directed to serve a copy of this order on the U.S. Marshal.

DATED: May 16, 2006.

  
UNITED STATES MAGISTRATE JUDGE

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